

1 AN ACT concerning transportation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Vehicle Code is amended by changing
5 Sections 3-711, 6-601, and 6-803 and adding Section 6-308 as
6 follows:

7 (625 ILCS 5/3-711) (from Ch. 95 1/2, par. 3-711)

8 Sec. 3-711. Whenever a court convicts a person of a
9 violation of Section 3-707, 3-708 or 3-710 of this Code, or
10 enters an order placing on supervision the person charged with
11 the violation, the clerk of the court within 5 ~~10~~ days shall
12 forward a report of the conviction or order of supervision to
13 the Secretary of State in a form prescribed by the Secretary.
14 In any case where the person charged with the violation fails
15 to appear in court, the procedures provided in Section 6-308
16 ~~6-306.3 or 6-306.4~~ of this Code, whichever is applicable shall
17 apply.

18 The Secretary shall keep records of such reports. However,
19 reports of orders of supervision shall not be released to any
20 outside source, except the affected driver and law enforcement
21 agencies, and shall be used only to inform the Secretary and
22 the courts that such driver previously has been assigned court
23 supervision.

1 (Source: P.A. 86-149.)

2 (625 ILCS 5/6-308 new)

3 Sec. 6-308. Procedures for traffic violations.

4 (a) Any person cited for violating this Code or a similar
5 provision of a local ordinance for which a violation is a petty
6 offense as defined by Section 5-1-17 of the Unified Code of
7 Corrections shall not be required to post bond. All other
8 provisions of this Code or similar provisions of local
9 ordinances shall be governed by the bail provisions of the
10 Illinois Supreme Court Rules when it is not practical or
11 feasible to take the person before a judge to have bail set or
12 to avoid undue delay because of the hour or circumstances.

13 (b) Whenever a person fails to appear in court or pay any
14 traffic fine, penalty, or cost imposed for a violation of this
15 Code or a similar provision of a local ordinance, the court
16 shall continue the case for a minimum of 30 days and the clerk
17 of the court shall send notice of the continued court date to
18 the person's address of record with the Secretary of State. If
19 the person does not appear in court on the continued court
20 date, pay in full the amount necessary to satisfy the citation
21 on or before the continued court date, or satisfy the court
22 that the person's appearance in and surrender to the court is
23 impossible with no fault on the person's part, the court shall
24 enter an order of failure to appear or pay. The clerk of the
25 court shall notify the Secretary of State of the court's order.

1 The Secretary of State, when notified by the clerk of the court
2 that an order of failure to appear or pay has been entered,
3 shall immediately suspend the driver's license. The suspension
4 of the person's driving privileges resulting from a failure to
5 appear or pay shall be designated by the Secretary as a Failure
6 to Appear suspension. The Secretary shall not remove the
7 suspension, nor issue any hardship permit or privilege to the
8 person whose license has been suspended, until notified by the
9 ordering court that the person has complied or paid in full the
10 amount required to satisfy the judgment and paid any suspension
11 reinstatement fee required by the Secretary. Upon payment in
12 full of a fine, penalty, or court cost which has previously
13 been reported under this Section as unpaid, or in which an
14 order of failure to appear has been entered and reported, the
15 clerk of the court shall present the person with a signed
16 receipt containing the seal of the court indicating the fine,
17 penalty, or cost has been paid in full, and shall notify the
18 Secretary of State that the person has complied or that the
19 fine, penalty, or cost has been paid in full.

20 (c) This Section does not apply to fines, penalties, or
21 costs to be collected subsequent to orders of court supervision
22 or other available court diversions.

23 (625 ILCS 5/6-601) (from Ch. 95 1/2, par. 6-601)

24 Sec. 6-601. Penalties.

25 (a) It is a petty offense for any person to violate any of

1 the provisions of this Chapter unless such violation is by this
2 Code or other law of this State declared to be a misdemeanor or
3 a felony.

4 (b) General penalties. Unless another penalty is in this
5 Code or other laws of this State, every person convicted of a
6 petty offense for the violation of any provision of this
7 Chapter shall be punished by a fine of at least \$50 but not
8 more than \$500.

9 (c) Unlicensed driving. Except as hereinafter provided a
10 violation of Section 6-101 shall be:

11 1. A Class A misdemeanor if the person failed to obtain
12 a driver's license or permit after expiration of a period
13 of revocation.

14 2. A Class B misdemeanor if the person has been issued
15 a driver's license or permit, which has expired, and if the
16 period of expiration is greater than one year; or if the
17 person has never been issued a driver's license or permit,
18 or is not qualified to obtain a driver's license or permit
19 because of his age.

20 3. A petty offense if the person has been issued a
21 temporary visitor's driver's license or permit and is
22 unable to provide proof of liability insurance as provided
23 in subsection (d-5) of Section 6-105.1.

24 If a licensee under this Code is convicted of violating
25 Section 6-308 ~~6-303~~ for operating a motor vehicle during a time
26 when such licensee's driver's license was suspended under the

1 provisions of Section 6-308 ~~6-306.3~~, then such act shall be a
2 petty offense (provided the licensee has answered the charge
3 which was the basis of the suspension under Section 6-306.3),
4 and there shall be imposed no additional like period of
5 suspension as provided in paragraph (b) of Section 6-308 ~~6-303~~.
6 (Source: P.A. 96-607, eff. 8-24-09; 97-1157, eff. 11-28-13.)

7 (625 ILCS 5/6-803) (from Ch. 95 1/2, par. 6-803)

8 Sec. 6-803. Procedure for Issuing Jurisdiction. (a) When
9 issuing a citation for a traffic violation, a police officer
10 shall issue the citation to a motorist who possesses a valid
11 driver's license issued by a party jurisdiction and shall not,
12 subject to the exceptions noted in Section 6-308 ~~6-306.4~~ of
13 this Code and paragraph (b) of this Section require the
14 motorist to post collateral to secure appearance, if the
15 officer receives the motorist's personal recognizance to
16 comply with the terms of the citation.

17 (b) Personal recognizance is acceptable only if not
18 prohibited by law. If mandatory appearance is required, it must
19 take place according to law, following issuance of the
20 citation.

21 (c) Upon failure of a motorist to comply with the terms of
22 a traffic citation, the appropriate official shall report the
23 failure to comply, in a manner prescribed by the Secretary, to
24 the licensing authority of the jurisdiction in which the
25 traffic citation was issued. The report shall be made in

1 accordance with procedures specified by the Secretary and shall
2 contain information as specified by the Secretary as minimum
3 requirements for effective processing by the home
4 jurisdiction.

5 (d) Upon receipt of the report, the Secretary shall
6 transmit to the licensing authority in the home jurisdiction of
7 the motorist the information in a form and content as contained
8 in the Compact Manual.

9 (e) The Secretary may not, except as provided under Section
10 6-308 ~~6-306.4~~ of this Code, suspend the privileges of a
11 motorist for whom a report has been transmitted, under the
12 terms of this Compact, to another member jurisdiction.

13 (f) The Secretary shall not transmit a report on any
14 violation if the date of transmission is more than 6 months
15 after the date on which the traffic citation was issued.

16 (g) The Secretary shall not transmit a report on any
17 violation where the date of issuance of the citation predates
18 the most recent of the effective dates of entry for the two
19 jurisdictions affected.

20 (Source: P.A. 84-1231.)

21 (625 ILCS 5/6-306.3 rep.)

22 Section 10. The Illinois Vehicle Code is amended by
23 repealing Section 6-306.3.

24 (625 ILCS 5/6-306.4 rep.)

1 Section 15. The Illinois Vehicle Code is amended by
2 repealing Section 6-306.4.

3 Section 20. The Code of Criminal Procedure of 1963 is
4 amended by changing Section 110-15 as follows:

5 (725 ILCS 5/110-15) (from Ch. 38, par. 110-15)

6 Sec. 110-15. Applicability of provisions for giving and
7 taking bail. The provisions of Sections 110-7 and 110-8 of this
8 Code are exclusive of other provisions of law for the giving,
9 taking, or enforcement of bail. In all cases where a person is
10 admitted to bail the provisions of Sections 110-7 and 110-8 of
11 this Code shall be applicable.

12 However, the Supreme Court may, by rule or order, prescribe
13 a uniform schedule of amounts of bail in all but felony
14 offenses. No bail amounts shall be required for petty offenses.
15 ~~specified traffic and conservation cases, quasi criminal~~
16 ~~offenses, and misdemeanors.~~ Such uniform schedule may provide
17 that the cash deposit provisions of Section 110-7 shall not
18 apply to bail amounts established for alleged violations
19 punishable by fine alone, ~~and the schedule may further provide~~
20 ~~that in specified traffic cases a valid Illinois chauffeur's or~~
21 ~~operator's license must be deposited, in addition to 10% of the~~
22 ~~amount of the bail specified in the schedule.~~

23 (Source: Laws 1967, p. 2969.)